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OFFICE OF PETITIONS

In re Application of
Brad Armstrong
Application No. 09/715,532
Filed: November 16, 2000
Title: 3D CONTROLLER WITH VIBRATION

DECISION ON
PETITION

This is a decision on the "Petition under Title 37 Sec. 1.182" for "Withdrawal of a Recorded Terminal Disclaimer," filed January 9, 2003, requesting that the terminal disclaimer to obviate a double patenting rejection filed in the instant application on August 8, 2001 be withdrawn.

The petition is GRANTED.

The terminal disclaimer filed on August 8, 2001, is hereby **WITHDRAWN**.

Petitioner states that the terminal disclaimer was filed in an effort to expedite the advancement of the instant application toward issuance. The original claim subject matter to which it was directed was later canceled. Accordingly, petitioner states, consistent with the examiner's comments in the Notice of Allowance, that the terminal disclaimer is unnecessary. The examiner has concurred with petitioner's assertion that the terminal disclaimer is unnecessary.

The application file is now being forwarded to Technology Center AU 2675 for correction of PALM and file records consistent with this decision. In addition, PALM records indicate that a 312 amendment was filed in this application on March 11, 2003 (This amendment is not currently in the application file or entered on the application jacket). Accordingly, the application file is also being forwarded to AU 2675 for matching of the amendment with the application file and appropriate consideration of the amendment by the examiner.

Telephone inquiries concerning this decision may be directed to
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